

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Landry, et al.

Serial No.: 10/697,793

Filed: October 30, 2003

For: SPINAL STABILIZATION  
SYSTEM AND METHODS

Examiner: Swiger III, James L.

Group Art Unit: 3733

Attorney Docket No.: 5259-10700US03

Certificate of Electronic Filing:

I hereby certify that this paper (along with  
any paper referred to as being attached or  
enclosed) is being electronically filed with  
U.S. Patent and Trademark Office on:

Date of Deposit: June 26, 2007

Karen R. Smith 6/26/07  
Karen R. Smith

Declaration and Power of Attorney  
For a United States Patent Application

As a below-named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original and first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "SPINAL STABILIZATION SYSTEMS AND METHODS," the specification of which was filed on October 30, 2003, the claims of which were presented on March 9, 2007, and the application number of which is 10/697,793.

I hereby state that I have reviewed and understand the contents of the above-mentioned specification, including the claims presented on March 9, 2007.

I acknowledge a duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

Claim to benefit of foreign application(s) as follows:

I hereby claim foreign priority benefits under 35 U.S.C. §119 for the following foreign applications for patent or inventor's certificate.

NONE

THE FOLLOWING FOREIGN APPLICATIONS FOR PATENT OR INVENTOR'S  
CERTIFICATE HAVE A FILING DATE EARLIER THAN THE FILING DATE OF THE  
APPLICATIONS IDENTIFIED ABOVE.

NONE

Claim to benefit of earlier U.S. application(s) as follows:

I hereby claim benefit under 35 U.S.C. §119(e) of any United States provisional application(s)  
listed below.

60/471,254, filed May 16, 2003  
60/466,091, filed April 28, 2003  
60/422,455, filed October 30, 2002

I hereby claim the benefit under 35 U.S.C. §120 of the following earlier-filed United States  
patent applications:

NONE

Insofar as the subject matter of each of the claims of this application is not disclosed in the prior  
U.S. applications in the manner required by 35 U.S.C. §112, first paragraph, I acknowledge a  
duty to disclose to the Patent and Trademark Office all information known to me to be material  
to patentability as defined in 37 C.F.R. §1.56 which came into existence between the filing  
date(s) of the prior applications and the national or PCT filing date of this application.

I hereby appoint the following Attorneys to prosecute this application and any continuation or  
divisional applications based hereon, and to transact all business in the Patent and Trademark  
Office connected therewith:

Michael Woods 50,811  
Beth Vrioni 39,869

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions  
from the assignee, if any, of the undersigned as to any action to be taken in the Patent and  
Trademark Office regarding this application without direct communication between the U.S.  
attorneys and the undersigned. In the event of a change in the persons from whom instructions may  
be taken, the U.S. attorneys named herein will be so notified by the undersigned.

In addition to the Attorneys listed above, as a named inventor, I hereby appoint the registered practitioners identified by Customer No. 23492 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, whose firm name, mailing address, telephone number, and facsimile number for this application are:

**ABBOTT LABORATORIES**  
**Patents and Trademarks Department**  
**Dept. 377/AP6A-1**  
**100 Abbott Park Road**  
**Abbott Park, IL 60064-6008**  
**Telephone: (847) 937-6364**  
**Fax No.: (847) 938-2623**  
**Customer Number (23492)**

Send Correspondence to: Robert DeBerardine  
D-377/AP6A-1  
Abbott Laboratories  
100 Abbott Park Road  
Abbott Park, IL 60064-6008

Direct telephone calls to: Michael Woods  
(512) 533-1945

Name: Michael Landry  
Post Office Address: 1306 Quaker Ridge Drive  
Residence: Austin, Texas 78746  
Citizenship: United States of America

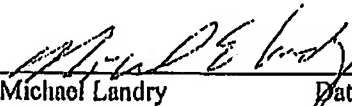
Name: Erik Wagner  
Post Office Address: 16920 Squaw Valley Lane  
Residence: Austin, Texas 78717  
Citizenship: United States of America

Name: Robert Jones  
Post Office Address: 11608 Spicewood Parkway, Unit #1  
Residence: Austin, Texas 78750  
Citizenship: United States of America

Name: (first, middle, last): Charlie Forton  
Post Office Address: 904 St. Helena Drive  
Residence: Leander, Texas 78641  
Citizenship: United States of America

Name: (first, middle, last): Larry Khoo  
Post Office Address: 12144 Laurel Terrace Drive  
Residence: Studio City, CA 91604  
Citizenship: United States of America

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that all statements made herein were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

 6/12/07  
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Michael Landry                      Date

\_\_\_\_\_  
Erik Wagner                      Date

\_\_\_\_\_  
Robert Jones                      Date

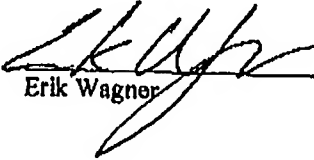
\_\_\_\_\_  
Charlie Forton                      Date

\_\_\_\_\_  
Larry Khoo                      Date

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\_\_\_\_\_  
Michael Landry

\_\_\_\_\_  
Date

  
Erik Wagner

6.12.2007  
Date

\_\_\_\_\_  
Robert Jones

\_\_\_\_\_  
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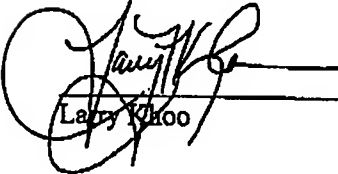
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Michael Landry Date

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Erik Wagner Date

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Robert Jones Date

\_\_\_\_\_  
Charlie Forton Date

  
\_\_\_\_\_  
Larry Khoo Date

6/24/2007

Date